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Notice of Allowability

Application No.

10/770,120

Examiner

Sana Al-Hashemi

Applicant(s)

MEADOWS, LOUIS B.

Art Unit

2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 2/2/04.
2. ☒ The allowed claim(s) is/are 17-33.
3. ☒ The drawings filed on 02 February 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

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SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100
Part of Paper No./Mail Date 20040624

DETAILED ACTION

Claim Status: 17-33 allowed.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/16/04 has been entered.

Applicant's arguments with respect to claims 17-33 have been considered but are moot in view of the new ground(s) of rejection.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David O'Reilly June 28, 2004.

The application has been amended as follows:

In The Specification:

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Another preferred method of obtaining a good noseprint is with a special pre-inked two-part flexible pad 200 as shown in Figures 8(a) through 8(c). One side of flexible pad 200 has a flexible plastic material 202 in a window 204 of a frame 206 comprising one half or side of the pad. The other half or side of pad 200 is comprised of a special registration form 208 [printable material] similar to the form 80 shown in Figure 7. Form 208 is sealed around its periphery with window 202 aligned with area 84

In The Claims:

Claim 17. (New) A pet identification method comprising; [:]

forming a flexible pad having a window;

covering said window with flexible plastic material having an interior side and exterior side;

coating said interior side with an indelible ink, said interior coated with indelible ink being away from said exterior side to be applied to a pet's nose;

forming a registration form on ~~recording stock~~ [printable material] having a shape and size equal to said flexible pad;

covering said window with said registration form so that said registration form is spaced from and aligned with said interior side coated with indelible ink;

pressing said exterior side of said flexible plastic material against a pet's nose until said interior side with said indelible ink firmly abuts said registration form producing a clear print of said pet's nose;

photographing said pet;

collecting identifying data entering said noseprint, about said pet;
said photograph and data into a database;

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Claim 19. (New) the method according to Claim 17 including printing and [an] identification card for an owner.

Claim 26. (New) A pet identification system comprising;[:]

a flexible plastic material having an interior side and exterior side attached to said flexible pad and covering said window;

a coating of ink on said interior side of said flexible plastic window;

a registration form covering such window aligned with and on an opposite side of said flexible pad from said interior side of said flexible plastic material having said ink;

whereby when said exterior side of said flexible plastic window is firmly pressed on a pet's nose an accurate copy of the pet's nose is imprinted on said registration form.

Claim 31. (New) A pet identification method comprising;[:]

taking a closeup photograph of a pet's nose to acquire a noseprint, said nose photograph being taken by a high-magnification camera having a magnification of at least 3X;

taking a photograph of said pet;

collecting identifying data about said pet on a database

registration form;

storing said noseprint, said photograph and registration data in a central database;

assigning an identification number to said pet;

providing a search engine for searching said central database to retrieve registration data and a noseprint;

providing a comparison program for comparing said registration data and noseprint in said central database with data and a noseprint received about a lost pet;

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connecting said central database to a network to receive data and a noseprint about a lost pet and transmitting the result of said comparison program;

whereby a lost pet can be identified by retrieving data or said noseprint from said database.

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance:

Regarding Independent Claims 17, 26, and 31, the prior art applied(i.e. Adler US Patent No. 6,401,095 and Meadows et al. US Patent No. 4,379,178)in rejecting the parent application No. 09/747,533 can not be combined because Meadows does not work with pet (e.g. dog or cat) noses because the wet nose blurs the print and may irritate the nose. Hence it would not have been obvious to combine Meadows and Adler.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Comments

The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more

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than FIVE (5) MONTHS beyond the date for reply set forth in an Office action. A fully responsive reply must be timely filed to avoid abandonment of this application.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

As allowable subject matter has been indicated, Applicant's response must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP section 707.07(a).

Other Prior Art Made of Record

1. Adler (US Patent No. 6,401,095) discloses Geographically sensitive automated notice system.
2. Meadows et al. (US Patent No. 4,699,077) discloses a compact fingerprinting system.
3. Streeter et al. (US Patent No. 5,879,453) discloses a system for verifying the identity of an applicant through the use of fingerprints.
4. Jubran (US Patent No. 5,462,597) discloses a system for inkless fingerprinting.
5. Meadows et al. (US Patent No. 4,379,178) discloses fingerprinting system.

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Points of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to: Sana Al-Hashemi whose telephone number is (703) 305-4881. The examiner can normally be reached on Monday - Friday from 8:00 AM to 4:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308-1436. Any response to this office action should be mailed to: The Commissioner of Patents and Trademarks, Washington, D.C. 20231. Or telefax at phone number (703) 746-9890. For formal or draft communications, please label "PROPOSED" or "DRAFT". Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive, 6th Floor Receptionist, Arlington, Virginia. 22202.

Sana Al-Hashemi
Patent Examiner
Technology Center 2100
June 28, 2004



SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100